

REMARKS

Claims 1, 4-7 and 11-15 are pending in this application. By this Amendment, claims 1, 5, 7 and 13 are amended, and claim 8 is cancelled without prejudice or disclaimer. No new matter is involved. Support for claim 1 is found throughout the originally filed disclosure, including originally filed claims 1-3. Support for claim 7, is found in originally filed claims 7 and 8, and in the specification at pages 15-17 and in Fig. 9, for example.

Reconsideration and re-examination is respectfully requested in view of the above amendments and the following remarks.

I. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1, 4-8 and 11-15 under 35 U.S.C. §103(a) over Dillon (U.S. Patent No. 5,727,065) in view of Bowman (U.S. Patent No. 5,999,623) and Downs (U.S. Patent No. 6,226,618 B1). The rejection is respectfully traversed.

The rejection of claim 8 is moot because claim 8 has been canceled without prejudice of disclaimer of the subject matter therein.

With respect to independent claim 1, Neither Dillon, Bowman or Downs, individually or in combination, disclose or suggest displaying summary information only if the decoding information accompanies the encrypted contents, where the decoding information determines which encrypted contents among the distributed contents can be utilized by the user, as recited in independent claim 1.

Dillon does not disclose this feature. Nor does Bowman. Bowman discloses in Fig 1 and in col. 3, line 47 to col. 4, line 6 that a Program Schedule Table (PST) 8 includes one or more sub-blocks of information (SBa-SBn) and information specifying corresponding predetermined encryption algorithms EA1-EAn. The PST 8 also includes information specifying particular, predetermined time periods P1-PN, each of which includes a time duration that begins at a predetermined start time, that correspond to the respective blocks of

information B1-Bn. Using the information stored in PST 8, the Communications Control Center 5 controls the transmitter station 6 so as to broadcast the encrypted blocks of information B1-Bn either during the respective predetermined time periods P1-Pn, or on an as-needed basis.

As such, Bowman does not disclose, teach or even suggest that the summary information only accompanies the contents when the contents are encrypted. Instead, Bowman discloses that a receiver station (A-D) may be authorized to decrypt as many encrypted sub-blocks of information (Sba-SBn) as are broadcast from the transmitter station 6 throughout the durations of particular ones of the time periods P1-Pn. Simply stated, Bowman's system does not operate in the manner as recited in independent claim 1.

Downs does not compensate for the above-noted deficiencies of Bowman. Moreover, Downs does not disclose, teach or even suggest providing summary information only if the contents are encrypted, as recited.

Downs in col. 9, line 50 - col. 10, line 5, defines an electronic digital content store (EDCS) as an entity that markets contents 113 and can be a website that provides electronic downloads of software. In the EDCS, the Content Acquisition Tool 171 is a web browser helper application which launches whenever a metadata SC 620 link is selected at the Content Promotions Website 156. Selection of a metadata SC 620 causes it to be downloaded to the EDCS 103 and launches the helper application. The Content Acquisition Tool 171 opens the metadata SC 620 and displays the non-encrypted information contained therein. Displayed information includes extracted metadata 173, for a music sample, the graphic images associated with a song and information describing the song, a preview clip of the song can also be listened to if included in the metadata SC. This information is displayed as a series of linked HTML pages in the browser window (of the user). See col. 73, lines 12-32.

Downs expressly discloses that information describing the song, such as preview (i.e., summary information) is displayed at the contents promotions website and is freely available to the end users. In fact, Downs teaches away the subject matter of the claimed invention. In particular, Downs discloses that all interaction is between the web server for the EDCS 103 and the browser on the end user device 109. This includes preview of sample digital content clips which are not packaged into SCS but instead are integrated into the web servers of the EDCS 103. See col. 79, line 63 - col. 80, line 5.

As such Downs does not disclose, teach or even suggest displaying summary information only if the contents are encrypted.

Because the applied references fail to disclose the features of independent claim 1, as discussed above, any combination of the references would not have resulted in the claimed invention. Accordingly, independent claim 1 defines patentable subject matter. Claims 4 and 5 depend from independent claim 1, and therefore also define patentable subject matter.

With respect to independent claim 7, Neither Dillon, Bowman nor Downs, individually or in combination, disclose or suggest displays summary information only if decoding information accompanies encrypted contents, for reasons as discussed above.

Further, neither Dillon, Bowman nor Downs, individually or in combination, disclose or suggest the list of information is displayed upon decoding of the encrypted information by a user. Dillon does not disclose this feature. Bowman discloses that a receiver station (A-D) may be authorized to decrypt as many encrypted sub-blocks of information (Sba-SBn) as are broadcast from the transmitter station 6 throughout the durations of particular ones of the time periods P1-Pn. However, Bowman makes no mention of the list of information is displayed upon decoding of the encrypted information by a user. Likewise, Downs makes no mention of this feature. Instead, Downs discloses that displayed information includes extracted metadata 173, for a music sample, the graphic images associated with a song and information describing

the song, a preview clip of the song can also be listened to if included in the metadata SC.

This information is displayed as a series of linked HTML pages in the browser window (of the user). See col. 73, lines 12-32.

Accordingly, independent claim 7 define patentable subject matter. Claims 11-15 depend from independent claim 7, and therefore also define patentable subject matter.

Accordingly, withdrawal of the rejection of claims 1, 4-7 and 11-15 under 35 U.S.C. §103(a) is respectfully requested.

II. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 4-7 and 11-15 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

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